

APPENDIX G

KING COUNTY CANVASSING BOARD GUIDELINES FOR ELECTION RECOUNT FOR OBSERVERS, MEDIA AND PUBLIC

- A. **General:** The recount is not an adversary proceeding. It is only another step in the statutory process for counting and canvassing the ballots for an election.

The proceedings will be conducted as expeditiously and impartially as possible. Towards that end, all activities will be conducted as open and visible as possible to all concerned.

Due to space restrictions, it may be necessary to prioritize the spaces allocated for viewing. Priority shall be given in the following order: to the candidates of the effected race or their designated representative or to the designated representative for the proponents and opponents of any measure, to their counsel if any, to the observers from the two major political parties, and then to any additional observers for the candidates or ballot measure proponents/opponents as may be provided by these guidelines.

The next priority shall be to the general public and the media. Special arrangements will be made for visual media.

If at any time the conduct or activities of the observers, media, or public becomes an unreasonable distraction or otherwise impedes the progress of the recount, the process will be stopped until the situation has been corrected or the room has been cleared.

Conversations are to be kept to a minimum and at a level that will not disturb the counting process or the canvassing authority.

If anyone has a message, comment or question for, to or about the proceedings in progress, it should be directed to one of the supervisory personnel or a member of the canvassing board.

- B. **Observers:** For each recount, observers from the two major political parties will be requested, and if provided, will be considered the official observers of the proceedings. Each candidate or the proponents or opponents to any measure also will be permitted one observer for each counting board.

The media and the public shall be allowed to observe as space permits to the point that it does not in any way interfere with the proceedings, as determined by the canvassing authority.

- C. **Observers' Guidelines:** Official observers have the right of witnessing the proceedings only for the purpose of ascertaining if the statutes and rules pertaining to recounts are properly carried out. Violations of, or exceptions to, procedures will be immediately reported to the supervisory personnel. If correction or satisfaction is not received there, other proceedings at law are available to the aggrieved party.

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State law does not make a provision for the challenge of ballots or voters during a recount. The recount procedure provided for by statute is a mechanical function of retallying the ballots cast and accepted as valid by the precinct election officials or the canvassing board during the canvass of the election. The decision of these officials with respect to the inclusion or exclusion of a particular ballot during the canvass is NOT in question during the recount.

- D. **Type of Recount:** The statutes provide that the person requesting a recount may specify whether the recount shall be conducted using the vote tallying system or shall be counted by hand. Where neither is specified, the vote tallying system shall be used, unless the canvassing board determines otherwise. Mandatory recounts shall be by the same method as the original counting process, unless otherwise required by law.

When the vote tallying system is used, there shall be only one counting board, those associated with feeding the ballots to the card readers and controlling the central processing unit.

When a manual count is required, there will be one counting board for approximately every 1,000 to 1,500 ballots to be counted.

- E. **Recount by Electronic Vote Tallying System:** The recount of ballots using the electronic vote tallying system shall be conducted in essentially the same manner in which those ballots were counted during the canvassing of the vote. A distinct computer program will be prepared for the tallying of the votes which will suppress all votes on the ballots except for the contest being recounted. Immediately prior to the recounting of the ballots, a separate logic and accuracy test of the system shall be conducted for the benefit of the observers.

- F. **Interruption and Continuation of the Recount:** If the process is stopped temporarily, the individual boards will cease counting at the completion of the precinct in progress. All materials and supplies shall be carefully protected during temporary stoppage.

In the event the process is not completed on the same day that it commences, at a reasonable stopping time, and upon completion of the precincts being counted, all containers shall be resealed and turned over to the Election staff members for safe keeping. The process shall be continued the following day.

- G. **Completion:** On completion of the recount, the results will be formally reviewed and approved by the Canvassing Board. If a different count results from the original canvass, the Board will then complete a new abstract showing the results in each precinct of the office which has been recounted. The certified canvass results will then be amended as appropriate.

The amended certified canvass report will normally be available to the candidates and all others concerned within twenty-four hours of the completion of the recount, unless completed on a Friday, in which case the report may not be available until at least the following Monday. The Canvassing Board does not intend to publish interim reports of the recount.